

Remarks

The Office action mailed July 6, 2004, has been reviewed and carefully considered. Applicants hereby elect Group I (claims 1-47 and 70-80) in response to the restriction requirement with traverse as explained below. Applicants also elect species I-a in response to the election of species requirement.

Restriction Requirement

The inventions of Groups I and II are related as process and apparatus for its practice. In support of the restriction requirement, the examiner has asserted that the process as claimed can be practiced by another materially different apparatus. However, this assertion cannot be supported by a close examination of the claims, particularly with regard to independent apparatus claim 1 and independent process claim 54. Process claim 54 involves "releasing hydrogen from a hydrogen **fuel storage system** to provide a compressed hydrogen gas stream, introducing the compressed hydrogen gas stream into at least one **expander** resulting in a lower-pressure hydrogen gas stream, and introducing the lower-pressure hydrogen gas stream into a **fuel cell**." Apparatus claim 1 includes at least one **power plant** (which can include a **fuel cell** as recited in claim 2 and selected as the elected species), at least one **fuel storage container**, and at least one **expander**. Thus, claim 54 requires the use of a fuel storage system, an expander and a fuel cell. It cannot be practiced without an apparatus that includes these features. Such features, as highlighted above, are also part of the apparatus recited in claim 1. Accordingly, the restriction requirement should be modified so that process claim 54 (and claims 55-60 that depend therefrom) should be included in Group I.

Election of Species Requirement

As stated above, applicants elect species I-a. The Office action indicates that there are currently no generic claims. However, claim 1 is generic as to species I-a and species I-b, and the Office action notes that claim 1 reads upon species I-a and I-b. Thus, if generic claim 1 is

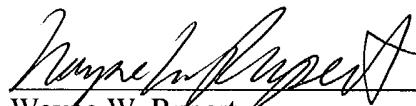
found allowable, then applicants are entitled in the present application to the dependent claims directed to species I-b as well as the claims directed to species I-a.

Applicants look forward to receiving an action on the merits. Should there be any questions regarding this application, Examiner Chaney is invited to contact the undersigned at the telephone number shown below.

Respectfully submitted,

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